

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIC WOOD,	:
Plaintiff,	:
v.	: Case No. 3:13-cv-49-KRG-KAP
PENNSYLVANIA DEPARTMENT OF	:
CORRECTIONS, S.C.I. SOMERSET,	:
Defendant	:

Report and Recommendation

Plaintiff's motion for reconsideration, docket no. 11, was referred to me under 28 U.S.C. § 636(b)(3). It should be denied as untimely, see Fed.R.Civ.P. 59(e), since judgment was entered on May 10, 2013, and the motion was not filed until June 14, 2013 at the earliest. The motion should be denied as meritless. Plaintiff Wood's sole reason for reconsideration is that he was confused by my denial of leave to amend and thought that it nullified the advice in the immediately preceding sentence that he should file objections. Finally, the motion should be denied as unnecessary. Wood's suit against the defendants named in this matter is barred by lack of subject matter jurisdiction. If Wood wishes to file a new complaint against any individual or individuals he that believes are legally liable to him, he is free to do so.

Pursuant to 28 U.S.C. § 636(b)(1), the parties are given notice that they have fourteen days to serve and file written objections to this Report and Recommendation.

DATE: 15 July 2013

Keith A. Pesto  
Keith A. Pesto,  
United States Magistrate Judge

Notice to counsel of record by ECF and by U.S. Mail to:

Eric Wood KS-8093  
S.C.I. Somerset  
1600 Walters Mill Road  
Somerset, PA 15510